

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

A.P.,

Plaintiff,

Civil Action No. 18-CV-04661

-against -

(Matsumoto, J.)
(Kuo, M.J.)

UNITED STATES OF AMERICA,
CARLOS MARTINEZ, EUGENIO PEREZ,
JOSEPH NORWOOD, KIMBERLY ASK-CARLSON,
HERMAN QUAY, TOMAS RODRIGUEZ,
D'ANELLO SMITH, ANDY CRUZ,
JERMAINE DARDEN, OFFICER GUAPA, and
JOHN/JANE DOES 1-10,

Defendants.

-----X

STIPULATION OF DISMISSAL WITH PREJUDICE

It is STIPULATED AND AGREED, by and between Plaintiff A.P. ("Plaintiff") and Defendants UNITED STATES OF AMERICA, JOSEPH NORWOOD, KIMBERLY ASK-CARLSON, HERMAN QUAY, TOMAS RODRIGUEZ, D'ANELLO SMITH, ANDY CRUZ, and JERMAINE DARDEN, by and through their respective undersigned attorneys, that in accordance with the Stipulation for Compromise Settlement and Release of Federal Tort Claims Act Claims Pursuant to 28 U.S.C. § 2677 and Dismissal with Prejudice of "*Bivens*" Claims, Plaintiff's Amended Complaint and Jury Demand and any and all claims arising therefrom against Defendants UNITED STATES OF AMERICA, JOSEPH NORWOOD, KIMBERLY ASK-CARLSON, HERMAN QUAY, TOMAS RODRIGUEZ, D'ANELLO SMITH, ANDY CRUZ, and JERMAINE DARDEN are dismissed with prejudice pursuant to

So Ordered:

h-pn-...
9.26.2023

A.P. v. United States, et al., 18-CV-04661 (KAM)(PK) – Stipulation of Dismissal With Prejudice

Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, with each party to bear its own costs, fees and disbursements; and

IT is FURTHER STIPULATED AND AGREED that no further suit will be instituted for the same causes of action that have been asserted herein or for any other causes of action arising out of the incidents or circumstances that gave rise to this suit.

Dated: New York, New York
September 25, 2023

CUTI HECKER WANG LLP
Attorneys for Plaintiff
305 Broadway, Suite 607
New York, New York 10007

By: /s/ Daniel Mullkoff
DANIEL MULLKOFF
MARIANN MEIER WANG
dmullkoff@chwllp.com
mwang@chwllp.com
(212) 620-2606

Dated: Brooklyn, New York
September 26, 2023

BREON PEACE
United States Attorney
Eastern District of New York
Attorney for Defendants United States,
Joseph Norwood, Kimberly Ask Carlson,
Herman Quay, Tomas Rodriguez,
D'Anello Smith, Andy Cruz, and
Jermaine Darden
271-A Cadman Plaza East, 7th Floor
Brooklyn, New York 11201

By: s/Kathleen A. Mahoney
KATHLEEN A. MAHONEY
Assistant U.S. Attorney
Senior Litigation Counsel
(718) 254-6026
kathleen.mahoney@usdoj.gov